

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN FLYNN,

Plaintiff,

v.

COUNTY OF TUOLUMNE, et al.,

Defendants.

Case No. 2:24-cv-2265-DJC-JDP (PS)

ORDER

This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On February 26, 2025, the Magistrate Judge filed findings and recommendations herein which were served on Plaintiff and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

The Court presumes that any findings of fact are correct. See *Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. See *Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . . ."). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper

1 analysis.

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The proposed Findings and Recommendations filed February 26, 2025, are  
4 ADOPTED;

5 2. Plaintiff's applications to proceed *in forma pauperis*, ECF No. 2 & 4, are  
6 DENIED;

7 3. Plaintiff's request to grant his application to proceed *in forma pauperis*, ECF  
8 No. 5, is DENIED;

9 4. Plaintiff is given twenty-one days from the date of this order to pay the filing  
10 fee of \$405; and

11 5. This matter is referred back to the assigned Magistrate Judge for all further  
12 pretrial matters.

13 IT IS SO ORDERED.  
14

15 Dated: April 18, 2025

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28